

Ms. Barbara Hendricks
Federal Minister for the Environment, Nature Conservation, Building and Nuclear Safety
Stresemannstraße 128 - 130
(via Erna-Berger-Straße)
10117 Berlin
Germany

Brussels, 8 January 2016

Dear Minister Hendricks,

It has come to our attention that Brinkmann, a legal firm that is responsible for liquidating the assets of DELA GmbH (that declared bankruptcy in 2014), has identified approximately 81 tonnes of mercury in Singapore that still legally belongs to DELA and is now looking for a buyer. Brinkmann has contacted the Singapore government (see attached letter) to determine if there are any legal problems with the sale of mercury that has been "shipped to Singapore against the regulations of the European Union." We are writing to respectfully request Germany to oppose any sales of this illegally exported mercury and instead require that DELA's other assets are used to pay for the environmentally sound disposal of the mercury.

As you may be aware, in 2014 DELA was found to have illegally exported up to 1,000 tons of metallic mercury,¹ wrongly declared as mercury waste, to Switzerland and other countries, which subsequently made its way to the open market. It is our understanding that the public prosecution office at Bochum is responsible for this case.

We are quite surprised and indeed alarmed that to our knowledge no legal steps have been taken to ultimately ensure the sequestration and environmentally sound disposal of this illegal mercury that originated in Germany. We were particularly concerned to learn that Brinkmann contacted mercury dealers very recently to ask if they are interested in buying the DELA mercury in Singapore. Therefore, time is of the essence for Germany to put a hold on the sale of this mercury, as it may otherwise be sold as soon as mid-January.

Thank you in advance for your consideration of this important matter.

Yours sincerely,

Jeremy Wates
Secretary General

¹ Regulation (EC) No 1102/2008 of the European Parliament and of the Council on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury. Available from: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008R1102>